



NEWS RELEASE

Office of the
United States Attorney
for the
District of Nebraska
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February 6, 2009

United States Attorney Joe Stecher and the Department of Homeland Security, Immigration and Customs Enforcement announce the following information for the attention of the media:

Event Triggering this Release: Miguel Gutierrez-Encino, 23, of Mexico was sentenced for fraudulently using government documents. Gutierrez-Encino was sentenced by the Honorable Joseph F. Bataillon to a one year and one day term of imprisonment. After his release from prison Gutierrez-Encino will begin a 3 year term of supervised release. One of the terms of supervised release prohibits his return to the United States after deportation.

Agents of Immigration and Customs Enforcement received information that Gutierrez-Encino was unlawfully in the United States and threatening to remove his children to Mexico. Agents went to his employer and determined that he claimed to be a lawful permanent resident listing both an Alien Registration Number and a Social Security Number. Neither number belonged to him as they had previously been assigned to other individuals.

Name of Defendant: Miguel Gutierrez-Encino

AKA:

Age: 23

City of residence: Omaha, Nebraska

Crime(s) Charged and Potential Penalty (A CHARGE is merely an accusation and every defendant is presumed innocent until and unless proven guilty): Fraud and misuse of Visas, Permits, and other documents, 0-10 years imprisonment, up to a \$250,000 fine, or both imprisonment and fine, 3 years of supervised release and a \$100 special assessment.

Specific Location of Alleged Crime: Omaha, Nebraska

Location of Arrest: Omaha, Nebraska

Alleged Dollar Loss/Type and Quantity of Drug: N/A

Others Charged in Same Scheme: N/A

Relevant Dates:

Date of Alleged Crime: On or about the 20th day of September, 2006

Federal Arrest Date: August 26, 2008

Date Complaint Issued: N/A

Indictment Returned Date: August 20, 2008

Initial Appearance Date: August 26, 2008

Plea or Trial and Date(s): Plead guilty on November 6, 2008

Sentencing Date: February 6, 2009

Next Court Hearing Type and Date: N/A

Assigned Magistrate Judge: F.A Gossett III

Held without Bond, or Released from Custody: Held without bond

In Continuous Custody Since: August 26, 2008

Assigned District Court Judge: Joseph F. Bataillon

Initials of Assigned AUSA/Preparer of THIS Release: MPN/hjl